

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 50
AGENDA DATE: Thu 12/02/2004
PAGE: 1 of 1

SUBJECT: C14-04-0143 - Rundberg Lane East - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 401-405 East Rundberg Lane (Little Walnut Creek Watershed) from family residence (SF-3) district zoning to general office-conditional overlay (GO-CO) combining district zoning. First reading on November 4, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Hsu Realty (Chi-kao Hsu). Land Answers (Jim Whitliff). City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0143

REQUEST:

Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 401-405 East Rundberg Lane from family residence (SF-3) district zoning to general office-conditional overlay (GO-CO) combining district zoning. First Reading on November 4, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading.

DEPARTMENT COMMENTS:

The applicant originally requested LR zoning but has amended the application to GO-CO and is in agreement with the Commission's recommendation. The conditional overlay limits the site to personal services as the only allowed GO use. In addition, all neighborhood office (NO) district zoning uses are allowed.

APPLICANT: Hsu Realty (Chi-kao Hsu)

AGENT: Land Answers (Jim Whitliff)

DATE OF FIRST READING/VOTE:

November 4, 2004 – Approved general office-conditional overlay (GO-CO) combining district zoning.

CITY COUNCIL DATE:

November 4, 2004 – Approved on first reading.

December 2, 2004 -

ASSIGNED STAFF: Glenn Rhoades

PHONE: 974-2775
glenn.rhoades@ci.austin.tx.us

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 401-405 EAST RUNDBERG LANE FROM FAMILY**
3 **RESIDENCE (SF-3) DISTRICT TO GENERAL OFFICE-CONDITIONAL**
4 **OVERLAY (GO-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from family residence (SF-3) district to general office-conditional
10 overlay (GO-CO) combining district on the property described in Zoning Case No. C14-
11 04-0143, on file at the Neighborhood Planning and Zoning Department, as follows:

12
13 Lots 16A, 17A and 17B, Block 1, Slayton Subdivision, a subdivision in the City of
14 Austin, Travis County, Texas, according to the map or plat of record in Plat Book
15 4, Page 339, of the Plat Records of Travis County, Texas, (the "Property")

16
17 locally known as 401-405 East Rundberg Lane, in the City of Austin, Travis County,
18 Texas, and generally identified in the map attached as Exhibit "A".

19
20 **PART 2.** The Property within the boundaries of the conditional overlay combining district
21 established by this ordinance is subject to the following conditions:

22
23 The following uses are prohibited uses of the Property:

24	25 Art gallery	25 Business or trade school
26	26 Business support services	26 Communications services
27	27 Medical offices (exceeds 5000 sq. ft.)	27 Private secondary educational facilities
28	28 Medical offices (not exceeding	28 Off-site accessory parking
29	29 5000 sq. ft.)	29 College and university facilities
30	30 Congregate living	30 Convalescent services
31	31 Cultural services	31 Guidance services
32	32 Hospital services (limited)	

33
34 Except as specifically restricted under this ordinance, the Property may be developed and
35 used in accordance with the regulations established for the general office (GO) base district
36 and other applicable requirements of the City Code.

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2 **PART 3.** This ordinance takes effect on _____, 2004.

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5 **PASSED AND APPROVED**

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8 _____, 2004

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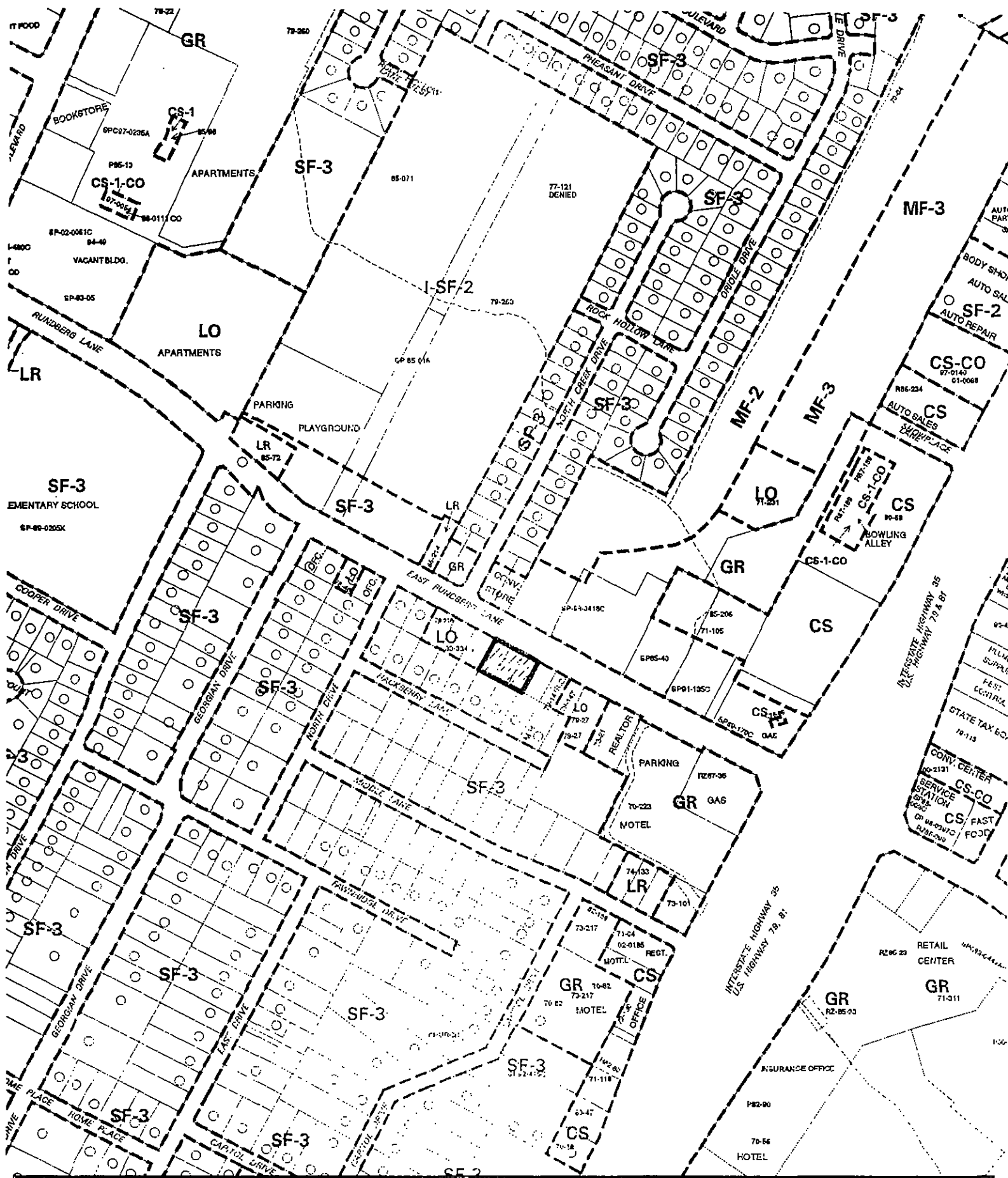
Will Wynn
Mayor


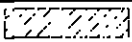


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14 **APPROVED:**

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT		ZONING	CITY GRID REFERENCE NUMBER L30
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: G. RHOADES			
	CASE #: C14-04-0143			
ADDRESS: 401 403 & 405 L RUNDBERG LANE			DATE: 04-09	INTLS: SM
SUBJECT AREA: 0.410				

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0143

Z.A.P. DATE: October 5, 2004
October 19, 2004

C.C. DATE: November 4, 2004
December 2, 2004

ADDRESS: 401-405 East Rundberg Lane

OWNERS: Hsu Realty
(Chi-kao Hsu)

AGENT: Land Answers
(Jim Whitliff)

ZONING FROM: SF-3

TO: LR-CO
Amended to GO on
October 19, 2004

AREA: .41 acres

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is limited office (LO) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 5, 2004 – Postponed at the request of the neighborhood with the applicant's agreement (Vote: 9-0).

October 19, 2004 – Approved general office-conditional overlay (GO-CO) combining district zoning (Vote: 9-0). The conditional overlay limits the site to personal services as the only allowed GO use. In addition, all neighborhood office (NO) district zoning uses are allowed.

ISSUES:

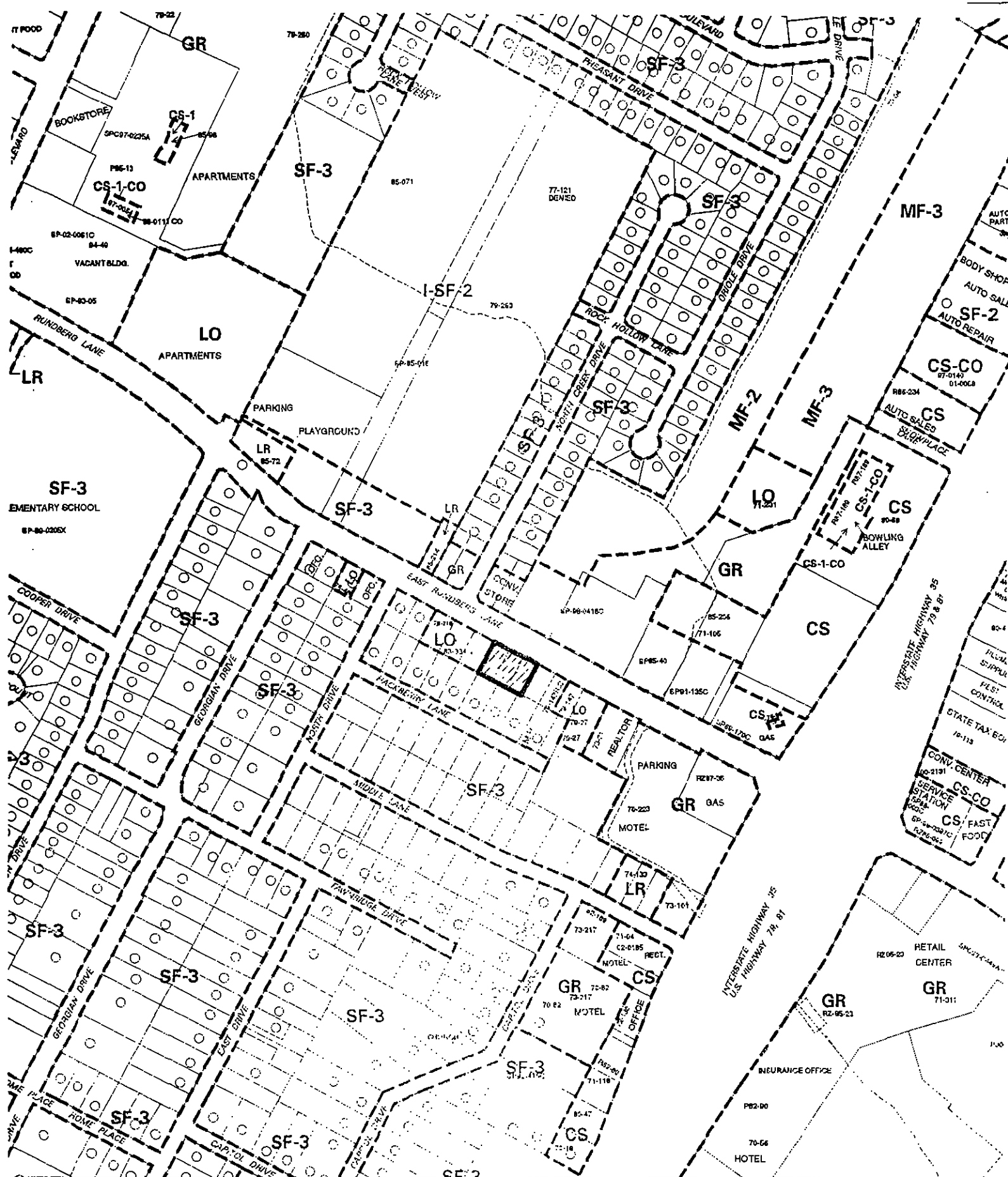
The applicant has amended the application to GO-CO and is in agreement with the Commission's recommendation.


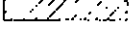


DEPARTMENT COMMENTS:

Due to the location of the property, staff believes that LO zoning would be more appropriate at this location. The subject tract is mid-block and abuts single-family on the east and south sides. In addition, with the exception of the GR zoned property at the intersection of IH-35 and Rundberg Lane, there is no commercial zoning in the immediate vicinity on the south side of Rundberg.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Undeveloped
<i>North</i>	GR	Gas Station
<i>South</i>	SF-3	Single Family
<i>East</i>	SF-3 LO	Single Family Parking
<i>West</i>	LO	Office



 1"=400'	SUBJECT TRACT	  	CASE #: C14-04-0143 ADDRESS: 401 403 & 405 F RUNDBERG LANE SUBJECT AREA (approx. 0.4 AC)	DATE: 04-09 INTLS: SM	CITY GRID REFERENCE NUMBER L30
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: G. RHOADES				



City of Austin

Case# C14-04-0143

Subdivision
Basepoly
Center Line



This map has been produced by the City of Austin as a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without prior written permission from Watershed Protection & Development Review, City of Austin.

STAFF RECOMMENDATION

Staff's alternate recommendation is limited office (LO) district zoning.

BASIS FOR RECOMMENDATION

The proposed zoning should be consistent with the purpose statement of the district sought.

LR – Neighborhood Commercial district zoning is intended for neighborhood shopping facilities which provide limited business service and office facilities predominantly for the convenience of residents of the neighborhood.

LO – Limited Office district zoning is the designation for an office use that serves neighborhood or community needs and is located in or adjacent to residential neighborhoods.

Due to the location of the subject tract, staff believes that the property meets the purpose statement of LO, more so than LR. Although the proposed use of the site for a Laundromat, could potentially meet the needs of the neighborhood, the property is mid-block and adjacent to single-family on the east and south sides of the property.

The proposed zoning should promote consistency, and orderly planning.

Staff's alternate recommendation is consistent with this portion of Rundberg Lane. There is an office complex zoned LO adjacent to the subject tract, and similarly zoned properties to the east and west.

The proposed zoning should allow for a reasonable use of the property.

Staff believes that the alternate recommendation of LO is a fair and reasonable use of the property, due to the office and single-family character of this portion of Rundberg Lane.

EXISTING CONDITIONS

Site Characteristics

The property is currently undeveloped.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 1,413 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

Capital Metro bus service is available along Rundberg Lane.

There are sidewalks along Rundberg Lane.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Impervious Cover

The maximum impervious cover allowed under LR zoning is 80%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone/Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also,

the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria and specifications.

Compatibility Standards

A site plan will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the east and south property line, the following standards apply:

- No structure may be built within 25 feet of the property line. Additionally, a 25 foot front setback from a right-of-way is required, since the subject tract adjoins property in an urban family residence (SF-5) or more restrictive zoning district.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.